UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

CLIFFORD B. MEACHAM; THEDRICK L. EIGHMIE; AND ALLEN G. SWEET, ALL INDIVIDUALLY AND ON BEHALF OF ALL OTHER PERSONS SIMILARLY SITUATED; AND,

JAMES R. QUINN, PH.D.; DEBORAH L. BUSH; HILDRETH E. SIMMONS, JR., RAYMOND E. ADAMS; HENRY BIELAWSKI; RONALD G. BUTLER, SR.; WALLACE ARNOLD; WILLIAM F. CHABOT; JAMES S. CHAMBERS; ALLEN E. CROMER; PAUL M. GUNDERSEN; ARTHUR J. KASZUBSKI; DAVID J. KOPMEYER; CLIFFORD J. LEVENDUSKY; BRUCE E. PALMATIER; CHRISTINE A. PALMER; NEIL R. PAREENE; FRANK A. PAXTON; JANICE M. POLSINELLE; WILLIAM C. REYNHEER; JOHN K. STANNARD; DAVID W. TOWNSEND; TEOFILS F. TURLAIS; BRUCE E. VEDDER; AND CARL TO WOODMAN, Plaintiffs.

STIPULATION OF DISMISSAL WITH PREJUDICE

Index No. 97-CV-0012 (DRH) Lead Case

- VS -

KAPL, INC., LOCKHEED MARTIN CORPORATION, AND JOHN J. FREEH, BOTH INDIVIDUALLY, AND AS AN EMPLOYEE OF KAPL AND LOCKHEED MARTIN,

_ _ _ _ _ Defendants._

JAMES R. QUINN, PH.D.,

Plaintiff

- vs -

KAPL, INC., LOCKHEED MARTIN CORPORATION, AND JOHN J. FREEH, BOTH INDIVIDUALLY AND AS AN EMPLOYEE OF KAPL AND LOCKHEED MARTIN,

Index No. 97-CV-45 (DRH)

Member Case

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-captioned action is dismissed, with prejudice, and without costs to any party as against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

Date: December / 2010

Dated: November 24, 2010

NIXON PEABODY LLP

By: John E. Higgins (501185)

677 Broadway, 10th Floor Albany, New York 12207

Phone: (518) 427-2650

jehiggins@nixonpeabody.com

Attorneys for Defendants

John B. Lu Charm

DUCHARME, HARP & CLARK, LLP

By: John B. DuCharme (104262) 10 Maxwell Drive, Suite 205

Chifton Park, NY 12065

(518) 373-1482

jducharme@nycap.rr.com Attorneys for Plaintiffs

SO ORDERED:

David R. Homer, U.S. Magistrate Judge

12/28/10 Date